

20897. Misbranding of White Cross liver medicine. U. S. v. 90 Cartons of White Cross Liver Medicine. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29811. Sample no. 32678-A.)

Examination of the drug preparation, White Cross liver medicine, disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the box label, and in the circular shipped with the article.

On February 21, 1933, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the district court of the United States a libel praying seizure and condemnation of 90 cartons of White Cross liver medicine, alleging that the article had been shipped on or about September 2, 1932, by the American Drug Co., from Mobile, Ala., to Jacksonville, Fla., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of senna leaves.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative and therapeutic effects, appearing on the box and carton labels and in the circular, were false and fraudulent: (Box) "Liver Medicine For * * * Biliousness, Indigestion, * * * and all Diseases of the Liver"; (circular) "Liver Medicine For * * * Biliousness, Indigestion * * * and all Diseases of the Liver * * * Liver Medicine * * * habitual constipation"; (carton) "Liver Medicine For * * * Biliousness, Indigestion."

On April 21, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20898. Adulteration and misbranding of tincture of aconite. U. S. v. Eleven 4-Ounce Bottles of Tincture of Aconite U. S. P. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29810. Sample no. 21657-A.)

This action involved an interstate shipment of tincture of aconite which was represented to be of pharmacopoeial standard and which had a potency of less than three tenths of the minimum required by the United States Pharmacopoeia for tincture of aconite.

On February 6, 1933, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court of the United States a libel praying seizure and condemnation of eleven 4-ounce bottles of tincture of aconite at Brooklyn, N.Y., alleging that it had been shipped in interstate commerce on or about January 16, 1933, by the Gibson-Howell Co., from Jersey City, N.J., to Brooklyn, N.Y., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Tincture of Aconite U.S.P."

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength as determined by the test laid down in the pharmacopoeia, and its own standard was not stated upon the container.

Misbranding was alleged for the reason that the statement on the label, "Tincture of Aconite U.S.P.", was false and misleading.

On March 3, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20899. Adulteration and misbranding of Ergotole. U. S. v. 13 Bottles of Ergotole. Default decree of condemnation and destruction. (F. & D. no. 29806. Sample no. 21649-A.)

This case involved an interstate shipment of Ergotole, which was represented to be standardized to the same potency as fluidextract of ergot and which, tests disclosed, possessed a potency of about one half of that required by the United States Pharmacopoeia for fluidextract of ergot.

On February 7, 1933, the United States attorney for the District of Connecticut filed in the district court of the United States a libel praying seizure and condemnation of thirteen 1-ounce bottles of Ergotole at New Haven, Conn.,